



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOSEPH TORRES, JR.,

Petitioner,

vs.

JIM BENEDETTI, *et al.*,

Respondents.

3:07-cv-0588-BES-RAM

**ORDER**

This is a *pro se* action for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, by Joseph Torres, Jr., a Nevada prisoner.

By order filed April 9, 2008, the Court ordered petitioner to pay the \$5.00 filing fee for this action and to submit his habeas corpus petition, within 30 days (docket #3). Petitioner was advised that this action would be dismissed unless he complied with the Court's order (docket #3). The order of April 9, 2008, was apparently delivered to petitioner; it was not returned undelivered. Petitioner has not responded to the order. More than the allotted time has elapsed and petitioner has not complied with the Court's order. Therefore, petitioner's action shall be dismissed without prejudice.

**IT IS THEREFORE ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** for petitioner's failure to obey this Court's order of April 18, 2008. The Clerk shall **ENTER JUDGMENT** accordingly.

Dated, this 3<sup>rd</sup> day of June, 2008.

UNITED STATES DISTRICT JUDGE